

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:18-cv-156-D

ADRIAN T. CURRIE,

Plaintiff,

v.

MURPHY-BROWN, LLC.

Defendant.

CERTIFICATION AND REPORT OF RULE
26(f) CONFERENCE AND JOINT
PROPOSED DISCOVERY PLAN

1. **Certification of Conference.** Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on October 12, 2018 at 9:30 a.m. by telephone and was conducted by the following counsel in this matter:

For Plaintiff: Ralph T. Bryant, Jr., Attorney at Law

For Defendant: Melissa A. Romanzo, Hunton Andrews Kurth LLP

2. **Pre-Discovery Disclosures.** The information required by Fed. R. Civ. P. 26(a)(1) will be exchanged by **October 26, 2018.**
3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:
 - a) Discovery will be needed on the following subjects: all claims, causes of action, allegations, defenses and affirmative defenses as contained in the pleadings of all parties. The parties reserve the right to conduct discovery on additional subjects relevant to the claims and defenses in this matter that are revealed through further discovery or investigation.
 - b) The parties anticipate that disclosure or discovery of electronically stored information may become necessary and the parties agree to the following

provisions in an effort to maximize the efficient discovery of electronically stored information and minimize cost: All electronically stored information shall be produced in PDF, TIFF or native file format, and shall be transmitted via DVD, flash drive, or other mutually agreed upon form. In the event that electronically stored information is produced in a form or format unreadable to the other party, the producing party will cooperate in providing such information in another readable format.

- c) The parties expect to cooperate regarding the entry of a protective order, which they anticipate submitting to the Court after it has been completed and executed.
- d) All discovery shall be commenced in time to be completed by **May 13, 2019**.
- e) Discovery Limits:
 - 1) Maximum of **35 interrogatories** by each party to any other party.
 - 2) Maximum of **25 requests for admission** by each party to any other party.
 - 3) Maximum of **10 depositions** by Plaintiff and **10 depositions** by Defendant.

Each deposition limited to maximum of **7 hours** unless extended by agreement of parties.

- f) Reports from retained experts under Rule 26(a)(2) will be due:
 - from **Plaintiff by March 13, 2019**
 - from **Defendant by April 12, 2019**

Supplementations will be as provided in Rule 26(e) or as otherwise ordered by the Court.

4. **Other Items.**

- a) The parties **do not request** a conference with the Court before entry of the scheduling order.
- b) The parties request a pretrial conference **two weeks prior to trial**.
- c) Plaintiff should be allowed until **November 30, 2018** to join additional parties and to amend the pleadings.
- d) Defendant should be allowed until **December 14, 2018** to join additional parties and to amend the pleadings.
- e) All potentially dispositive motions should be filed by **June 13, 2019**.
- f) Settlement may be evaluated late in the discovery period. Settlement may be enhanced by the use of a mediated settlement conference. The exact date of mediation shall be set by the mediator after consultation with the parties. The parties will inform the Court of their selection of mediator no later than **December 14, 2018**.
- g) Final lists of witnesses and exhibits under Rule 26(a)(3) are due:
 - from plaintiff(s) **28 days before the pretrial conference**
 - from defendant(s) **28 days before the pretrial conference**
- h) Parties should have **7 days** after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).
- i) The case should be ready for trial by **September 1, 2019, or after the Court has ruled on any pending dispositive motions**, and at this time is expected to take approximately **2-3 days**.

j) The parties have discussed the issue of consent to the jurisdiction of a U.S. magistrate judge and do not consent.

This the 19th day of October, 2018.

ADRIAN T. CURRIE,
Plaintiff

/s/ Ralph T. Bryant, Jr. (with permission)
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Counsel for Plaintiff Adrian T. Currie

MURPHY-BROWN, LLC, d/b/a
SMITHFIELD HOG PRODUCTION
Defendant

/s/ Melissa A. Romanzo
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*Counsel for Defendant Murphy-Brown, LLC
d/b/a Smithfield Hog Production*

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of October, 2018, I caused a copy of the foregoing to be electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of this filing and an electronic copy of same to all parties who have entered an appearance via their counsel of record.

/s/ Melissa A. Romanzo
Melissa A. Romanzo